

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, JULY 16, 2009, 1:00 P.M.**

CALL TO ORDER

Bill Mitchell, Chairperson, called the meeting to order at 1:00 p.m.

Commission

Members Present:	Pat Haukohl	Bob Peregrine	Jim Siepmann
	Walter Kolb	Bill Mitchell	Bonnie Morris

Commission

Members Absent: Gary Goodchild

Staff

Members Present: Richard L. Mace, Planning and Zoning Division Manager
Elfriede Sprague, Clerk III

Guests Present:	Jim Klappa	David Schnoor	Gary Brzezinski
-----------------	------------	---------------	-----------------

CORRESPONDENCE: None.

MEETING APPROVALS: None.

MINUTES

- *Mr. Peregrine moved, seconded by Mrs. Haukohl, and carried unanimously for approval of the June 4, 2009, Minutes, as corrected.*

PUBLIC COMMENT None.

• **CU-150G (Waukau Storage Yard LLP) Town of Genesee, Section 34**

Mr. Mace presented the "Staff Report and Recommendation" dated July 16, 2009 and made a part of these Minutes. He pointed out the location of the property in the SE ¼ of Section 34, of the Town of Genesee on the aerial photograph and indicated the petitioner is requesting to amend the conditions of the previous Conditional Use Permits for the existing guyed and lattice towers to allow future requests for co-location on the tower to be permitted through the Site Plan/Plan of Operation application process only, without the need for conditional use approvals.

Several Commissioners expressed concern that approving this request would allow future co-locators to install a generator without having to receive Park and Planning Commission approval. Mr. Mace stated that any requests for the addition of a generator would have to go through the conditional use approval process. This approval would be for the addition of more antennae only.

After a brief discussion, Mrs. Morris moved, seconded by Mr. Kolb, and carried unanimously for approval, as conditioned, to allow future requests to co-locate on the tower to be permitted through the Site Plan/Plan of Operation process, in accordance with the "Staff Report and Recommendation". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **CU-1506 (Andrea Langer) Town of Vernon, Section 12**

Mr. Mace presented the “Staff Report and Recommendation” dated July 16, 2009 and made a part of these Minutes. He pointed out the location of the property at W225 S7870 Sunset Glen Ct. in the Town of Vernon on the aerial photograph and indicated the petitioner is requesting approval for earth-altering activities for the construction of a berm.

Chairperson Mitchell noted Condition No. 6 requires approval of a Stormwater Plan and questioned who would be responsible for compliance. Mr. Mace replied it would be the County, as the Town of Vernon is under County jurisdiction. Mrs. Haukohl asked if there were any size limitations for the construction of the berm, as she did not see any stated in the conditions. Mr. Mace replied it is not usually conditioned because the Planning and Zoning Division Staff need to review and approve the proposal for the berm before it can be started. She felt the maximum allowed height, width and length should be included in the condition, because the way the condition reads now, the proposal only requires approval of “a written indication of the maximum height”. Several commissioners felt it was a good idea to add the height, width and length limitations to the conditions so the petitioner is aware of exactly what is allowed.

After discussion, Mr. Siepmann moved, seconded by Mrs. Haukohl, and carried unanimously for approval, as conditioned, in accordance with the “Staff Report and Recommendation with Condition No. 2 amended to include the maximum allowed height, width and length of the berm. The approval of this request, will allow the petitioner a reasonable use of her land and meets the intent and purposes of all County Ordinances.

• **CU-1485 (Gary Brzezinski) Town of Vernon, Section 12**

Mr. Mace presented the “Staff Memorandum” dated July 16, 2009 and made a part of these Minutes. He pointed out the location of the property at W225 S7800 Sunset Glen Ct. in the Town of Vernon on the aerial photograph and indicated the petitioner is requesting to revise conditions of his Conditional Use approval for the construction of a berm.

Mr. Mace explained that Condition No. 7 of the petitioner’s Conditional Use approval required the construction of the berm be completed no later than October 1, 2008, unless mutually extended by the Town and County. The berm on the property was constructed in the spring of 2009. The petitioner had not complied with the conditions of approval prior to constructing the berm and did not request an extension prior to the October 1, 2008, deadline. Therefore, the purpose of this request is to determine if the Park and Planning Commission is willing to remove Condition No. 7 from their previous approval as the non-compliance of the deadline was not done intentionally.

Mr. Peregrine moved, seconded by Mr. Siepmann, for approval, to eliminate Condition No. 7 of the Conditional Use approval, in accordance with the “Staff Memorandum”

Chairperson Mitchell asked the petitioner, Gary Brzezinski, if the project was finished. He replied, “not exactly” He explained the construction of the berm was delayed because he had difficulty-acquiring fill and it just took longer than expected and that topsoil and seed still need to be spread on the berm. He explained that the Building Inspector noticed the violation, notified the County and a “Cease and Desist” order was issued. He is currently working with Environmental Health to ensure the mound is not compromised by the berm and still needs to submit a new detailed plat of survey to them. Mr. Mace asked if he has any plans to extend or enlarge the berm any more than it is. He replied that at the public meeting, when he presented his plans, it was suggested by someone (unsure who) that due to the size of his lot, he extend it to the entrance berm of his property. So he just proceeded to do so. He is working closely with Peggy to correct the violation and bring his property into compliance. Mrs. Haukohl asked Mr. Brzezinski

if he understood the conditions as now presented, especially the drainage and mound system issues. He replied, "I understand". Mr. Siepmann suggested a new date for completion be assigned to the project. The Commission agreed a final date for site stabilization was appropriate instead of just eliminating Condition No. 7. After a short discussion, Mr. Brzezinski agreed to a completion date of October 31, 2009.

After further discussion, Mr. Peregrine moved, seconded by Mr. Siepmann and carried unanimously to amend his motion to eliminate Condition No. 7 and instead change Condition No. 7 to extend the project completion date to October 31, 2009. The approval of this request, will allow the petitioner a reasonable use of his land and meets the intent and purposes of all County Ordinances.

- **SCU-1505 (Wisconsin Department of Natural Resources) Town of Waukesha, Section 32**

Mr. Mace presented the "Staff Report and Recommendation" dated July 16, 2009 and made a part of these Minutes. He pointed out the location of the property in the SW ¼ of Section 32, in the Town of Waukesha on the aerial photograph and stated the petitioner is requesting approval for earth-altering activities, including a ditch plug and a wetland scrape on a parcel that is part of the Vernon Marsh. The materials from the scrape would be used for the ditch plug, which will help restore the wetland and protect the beaver dam that exists in the ditch.

After a brief discussion, Mrs. Haukohl moved, seconded by Mr. Peregrine, and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

- **CU-1504 (David Schnoor) Town of Oconomowoc, Section 18**

Mr. Mace presented the "Staff Report and Recommendation" dated July 16, 2009 and made a part of these Minutes. He pointed out the location of the property at N79 W39375 McMahon Rd., in the Town of Oconomowoc on the aerial photograph and indicated the petitioner is requesting approval to operate an internet based firearms business out of the residence on the property. He stated the petitioner cannot sell directly to a customer and that the firearms would be sold through a dealer who is responsible for doing the background check. There will be no transactions conducted in the petitioner's home and the approval will be for the sale of firearms only.

After a brief discussion, Mr. Siepmann moved, seconded by Mrs. Morris, and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation". The approval of this request, will allow the petitioner a reasonable use of his land and meets the intent and purposes of all County Ordinances.

- **PO-09-OCOT-4 (David Schnoor) Town of Oconomowoc, Section 18**

Mr. Mace presented the "Staff Report and Recommendation" dated July 16, 2009 and made a part of these Minutes. He stated the request is related to the previous CU-1504.

After a brief discussion, Mrs. Morris moved, seconded by Mrs. Haukohl, and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation". The approval of this request, will allow the petitioner a reasonable use of his land and meets the intent and purposes of all County Ordinances.

• **PO-09-VNT-6 (Morningstar Golfers Club) Town of Vernon, Section 8**

Mr. Mace presented the “Staff Report and Recommendation” dated July 16, 2009 and made a part of these Minutes. He pointed out the location of the property at S77 W26285 Prairieside Dr., in the Town of Vernon on the aerial photograph and stated the petitioner is requesting approval for the expansion of the existing deck on the clubhouse to allow for additional seating area.

After a brief discussion, Mrs. Haukohl moved, seconded by Mr. Siepmann, and carried unanimously for approval, as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

ADJOURNMENT

With no further business to come before the Commission Mr. Siepmann moved, seconded by Mrs. Morris and carried unanimously to adjourn at 1:45 p.m.

Respectfully submitted,

Bonnie Morris
Secretary

BM:es